

HOWARD COUNTY

PROPERTY RIGHTS, INTEREST, EASEMENTS OR FRANCHISES IN THE SAME. IF THE COUNTY EXECUTIVE IS UNABLE TO AGREE WITH THE OWNER OR OWNERS ON THE PURCHASE PRICE OF SUCH PROPERTY OR INTEREST THEREIN, HE SHALL THEREUPON REQUEST THE COUNTY COUNCIL TO AUTHORIZE AND DIRECT THE OFFICE OF LAW TO INSTITUTE IN THE NAME OF THE COUNTY THE NECESSARY LEGAL ACTION TO ACQUIRE BY CONDEMNATION THE REAL PROPERTY OR ANY INTEREST THEREIN. NO RESOLUTION AUTHORIZING AND DIRECTING THE CONDEMNATION OF ANY INTEREST IN REAL PROPERTY SHALL BE ADOPTED BY THE COUNCIL UNTIL AFTER THE OWNER OR OWNERS OF THE SUBJECT REAL PROPERTY SHALL HAVE HAD AN OPPORTUNITY TO BE HEARD BY THE COUNCIL IN OPEN HEARING AFTER DUE NOTICE. A PUBLIC HEARING HELD PURSUANT TO THIS SECTION SHALL BE LIMITED TO THE QUESTION OF NECESSITY FOR THE TAKING AND NO ISSUE OF VALUE OF THE LAND WHICH IS THE SUBJECT OF THE CONDEMNATION PROCEEDING CAN BE RAISED. NO REAL PROPERTY OR INTEREST THEREIN SHALL BE PURCHASED, BY CONDEMNATION OR OTHERWISE, UNLESS FUNDS FOR THE SAME SHALL HAVE BEEN INCLUDED IN THE CAPITAL BUDGET, THE AWARD OF A CONDEMNATION JURY NOTWITHSTANDING. ALL SUCH PURCHASES HEREIN PROVIDED FOR SHALL BE ACCOMPLISHED IN ACCORDANCE WITH BUDGETARY PROCEDURES AS DESCRIBED IN THE HOWARD COUNTY CHARTER. ALL NECESSARY LEGAL PROCEEDINGS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ARTICLE [[33A]] 21 of the Code of Public General Laws of Maryland and the Rules of Court adopted pursuant thereto.

SECTION 2. AND BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF HOWARD COUNTY, MARYLAND, that this Act shall take effect sixty (60) days after its enactment.

Approved May 10, 1974

Council Bill No. 22

AN ACT to add Section 4.201, inclusive, of Title 4 of the Howard County Code, title "Contract and Purchasing," to follow immediately after Section 4.200 thereof and to be under the new subtitle, "Real Property," providing a procedure for the disposition of real property no longer needed for public purposes.

WHEREAS, Article 25A of the Public General Laws of Maryland gives Charter Counties the authority to provide for the disposition of public property no longer needed for public purposes; and

WHEREAS, the Howard County Charter was adopted by the voters with the understanding that there would be